

**REMARKS**

By this Amendment, Applicants have amended claim 40 to more appropriately define the invention. Claims 17-48 remain pending.

In the Office Action dated August 30, 2004, the Examiner (a) rejected claims 17-20, 22, 25, 31-33, and 36 under 35 U.S.C. § 102(e) as anticipated by JP 10-312033 ("*Yoshihiro*"), (b) rejected claims 40-42 and 45 under 35 U.S.C. § 102(e) as anticipated by JP 09-102969 ("*Eiji*"), (c) indicated claims 21, 23, 24, 26, 27, 34, 35, 37-39, 43, 44, and 46-48 contained allowable subject matter, and (d) allowed claims 28-30.

Applicants thank the Examiner for allowing claims 28-30 and indicating claims 21, 23, 24, 26, 27, 34, 35, 37-39, 43, 44, and 46-48 contained allowable subject matter.

**CLAIMS 17-19, 22, 25, 31-33, 36**

Applicants respectfully traverse the rejection of claims 17-20, 22, 25, 31-33, and 36 under 35 U.S.C. § 102(e) as anticipated by *Yoshihiro* because the cited reference is not prior art.

*Yoshihiro* is a Japanese patent application, published on November 24, 1998. The present application is the national phase, under 35 U.S.C. § 371, of International Application No. PCT/NZ98/00098 filed on July 10, 1998, which claims benefit of priority to New Zealand Application No. 329,817 filed on February 20, 1998 and New Zealand Application No. 329,834 filed on February 24, 1998. *Yoshiro* was published after the filing dates of International Application No. PCT/NZ98/00098, New Zealand Application No. 329,817, and New Zealand Application No. 329,834.

Accordingly, *Yoshihiro* is not prior art. The rejection of claims 17-20, 22, 25, 31-33, and 36 under 35 U.S.C. § 102(e) as anticipated by *Yoshihiro* should be withdrawn, and claims 17-20, 22, 25, 31-33, and 36 should be allowed.

#### **CLAIMS 40-42 AND 45**

Applicants respectfully traverse the rejection of claim 40 under 35 U.S.C. § 102(e) as anticipated by *Eiji* because amended claim 40 depends upon allowable claim 17 and *Eiji* fails to teach each and every element recited in claim 17. M.P.E.P. § 2131 (8th Ed. May 2004).

Particularly, *Eiji* fails to teach at least a first screen capable of displaying a first image, a second screen capable of displaying a second image, such that the first screen is in front of the second screen, a slightly diffuse layer is between the first screen and the second screen, and the slightly diffuse layer is adapted to prevent observation of an interference pattern by an observer of a multi-layered image display, as recited in claim 17. *Eiji* merely discloses video signals applied to a liquid crystal panel 101 such that a 1st picture element group can be used for a right eye and a 2nd picture element group can be used for a left eye. See Abstract. A distributed liquid crystal pane 106 turns off a diffusing effect and transmits light from a beam splitting means 110. *Id.*

Accordingly, claim 40 and its dependent claims 41, 42 and 45 are allowable at least by virtue of their dependence upon allowable claim 17, in addition to the patentable subject matter recited therein.

#### **CONCLUSION**

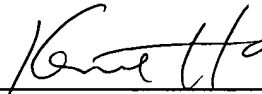
In view of the foregoing remarks, Applicants respectfully request reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge  
any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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Dated: December 20, 2004

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